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Right of peoples to self-determination

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Report of the Secretary-General

Addendum

1. The present addendum to the report of the Secretary-General includes a summary of information received in response to his note verbale drawing the attention of Governments to General Assembly resolution 54/155 entitled "Universal realization of the right of peoples to self-determination".[1]

2. In its letter dated 31 July 2000 the Government of Pakistan addressed two current issues relating to the right of self-determination — namely, terrorism; and the alleged conflict between the right to self-determination and the concept of territorial integrity of States.

3. In reference to the first issue, the Government of Pakistan stated that, while self-determination embodies the basic goal of freedom, terrorism has as its goal to deprive peoples of their right to determine their political status and pursue their development in the economic, social and cultural areas.

4. Pakistan is of the opinion that all forms of terrorism are reprehensible but finds that its most condemnable manifestation is when it is practised by States. The Government said the following on this point: "States, unlike individuals and groups, have virtually limitless resources — human, financial and material — at their disposal. Accordingly, by virtue of the fact that States control all government machinery, they can arm their personnel indulging in acts of terrorism with laws granting the latter immunity from prosecution and impunity for the crimes committed by them."

5. According to the Government of Pakistan, "In addition to using their regular armed forces and paramilitary forces, such States also employ mercenaries to terrorize the population whose right of self-determination they are denying. These mercenaries are given financial rewards and employment in the police, paramilitary or regular military forces for services rendered. These services include general harassment of the suppressed population, assassinations of the political leaders of such peoples, silencing human rights defenders through intimidation and murder, harassing lawyers and journalists and acting as informers for their paymasters."

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6. In reference to the second issue it addressed, the Government of Pakistan pointed out that in the present system of nation States the right to self-determination and the concept of territorial integrity of sovereign States are elements that reinforce each other; the first does not threaten the latter. When peoples exercise this right, States are created and, in turn, their territorial integrity and sovereignty become sacrosanct. Moreover, the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[2] clearly outlines when the concept of territorial integrity can be invoked in relation to the principle of self-determination.

7. In its letter dated 7 June 2000 the Government of Lebanon endorsed General Assembly resolution 54/155 and asked the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression, occupation, and the use of mercenaries.

8. The Government of Lebanon expressed its categorical rejection of attempts by either Israel or others to settle Palestinian refugees on its territory. Lebanon supports General Assembly resolutions 194 (III) and 54/152, and, in so doing, insists on the right of Palestinians to return to their homeland and to create an independent Palestinian State.

9. On 10 July 2000 the Libyan Arab Jamahiriya expressed its support for the right of peoples to self-determination, in the understanding that it is a fundamental condition for the effective guarantee and observance of human rights. The Libyan Arab Jamahiriya also endorsed General Assembly resolution 54/155 and other resolutions adopted by the United Nations and other organizations which recognize the legitimate struggle of peoples for freedom and independence, including resort to armed struggle.

10. The Libyan Arab Jamahiriya believes in and defends the right of peoples to self-determination and to control of their natural resources and the right of peoples to choose the system that best suits their circumstances. These principles, the Government said, are the basis of the Libyan Arab Jamahiriya's support for the struggle for freedom and independence of peoples under colonial domination, particularly the Palestinians. It was stated that these peoples are being denied their right to self-determination or are displaced from their homeland while awaiting both the implementation of United Nations resolutions that affirm their right to self-determination and the establishment of their own independent State in Palestine

11. In reaffirming its belief in the right of peoples to self-determination, the Government of the Libyan Arab Jamahiriya expressed its opinion that such right is subject to the concept of the unity and territorial integrity of a State. The Libyan Arab Jamahiriya argued that there is need to ensure that foreign elements do not exploit the issue of self-determination by encouraging minority groups to favour separation from their States of origin, which would lead to the division of States into statelets and undermine their political and geographical unity.

Notes

[1] The full texts of the responses are available for consultation in the files of the Secretariat.

[2] General Assembly resolution 2625 (XXV).